

REMARKS

In the aforementioned Office communication, claims 1-11 remaining in the application after a restriction requirement have been rejected under Section 102 as being anticipated by Broadway (U.S. 2004/0224584). The Broadway reference relates to a facing sheet of open mesh scrim and polymer film for providing an outer layer over cement boards. The polymer film for the facing sheet is defined in paragraph [0026] of the published application as comprising a layer of gravure rolled polymer with a repeating pattern of openings 34. The polymer film is also described in paragraph [0027] as providing a rigid and durable outer surface for a cement board. As will be appreciated, the polymer film used in the facing sheet of Broadway has a repeating pattern of openings 34 and is rigid and forms a rigid and durable outer surface for a cement board.

Such a product is in contradistinction to a fabric, which would be suitable for use in a roll-up covering for an architectural opening as in the present invention. First of all, the fabric as noted is flexible as opposed to the rigid and durable polymer film provided for in the Broadway reference, and, in addition, the flexible fabric of the present invention utilizes a polymer layer over first and second yarns which is without holes or discontinuities as opposed to the polymer film of Broadway that includes openings 34.

To more clearly distinguish the present invention from the cited art, claim 1 has been cancelled and replaced with new claim 21, which points out that the product being claimed is flexible and includes a polymer layer that is without holes or discontinuities. Accordingly, it is felt new claim 21 is patentably distinct from the prior art for the reasons identified. The examiner's attention is also directed to the present application and

particularly to page 4, lines 8-14 where the product of the invention is noted as being a flexible glass fiber weave that is suitable for use in architectural openings. Further, the polymer sheet 130 used in the product is noted on page 5, lines 5 and 6, as lacking holes or discontinuities therein. Accordingly, the language found in claim 21 finds support in the present application and is therefore felt to have antecedent basis.

New claims 22-25 have been added as dependent claims to claim 21 in stating that the polymer layer of the product could be translucent, opaque, transparent, or reflective as set forth in each of claims 22-25, respectively. Support for this characteristic of the polymer layer 130 is found commencing at the bottom of page 6 on line 27 and continuing through line 2 of page 7.

Having amended the claims to be patentably distinct from the prior art reference to Broadway, it is felt the claims are in condition for allowance.

The telephone interview granted by Examiner Ruddock on September 9, 2009, was greatly appreciated. Examiner Ruddock noted that subject to additional searching, she felt the inclusion of the polymer layer being without holes or discontinuities in independent claim 21 would make the claims patentably distinct from the Broadway reference.

There being no other rejections or objections to the application, it is felt it is now in condition for allowance and such action is courteously requested.

Dated this 15th day of September 2009.

Respectfully submitted,



Gary M. Columbus, Reg. No. 25,364
Dorsey & Whitney LLP
USPTO Customer No. 20686
Tel: 303-628-1500

GMP/dtc